



UNITED STATES PATENT AND TRADEMARK OFFICE

54
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,426	10/30/2001	Martin DeGeorge	MATP-607US	2073
23122	7590	04/11/2005	EXAMINER	
RATNERPRESTIA P O BOX 980 VALLEY FORGE, PA 19482-0980			ELAHEE, MD S	
			ART UNIT	PAPER NUMBER
			2645	
DATE MAILED: 04/11/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/021,426

Applicant(s)

DEGEORGE, MARTIN

Examiner

Md S Elahee

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Response to Amendment

1. This action is responsive to an amendment filed on 11/04/04. Claims 1-18 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-18 have been fully considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the needs at this time.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1, 5, 7 and 13 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Regarding claim 1, the limitation 'a processor that stores combined messages, which include the received audio messages and the text representation of the DTMF tones into the storage device' in page 2, lines 8-10, was not disclosed in the original specification. The support for the limitation was not found in fig 2 and page 6, paragraph 24 as indicated by Applicant in the amendment filed on 06/01/2004. Regarding claims 5, 7 and 13 are rejected for the same reasons as discussed above with respect to claim 1.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 4, 6, 7, 10, 12, 13, 16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Klausner et al. (US Patent No. 5,283,818).

Regarding claims 1 and 13, Klausner teaches a telephone answering device [i.e., answering machine module] that receives the audio messages (abstract; fig.1, 11, items 510, 520; col.9, lines 33-52).

Klausner further teaches a DTMF tone decoder which converts the DTMF tones to digital data [i.e., since the digital data is representation of all the digits of a telephone data, the digital data represents a text] representation of the DTMF tones matching respective individual keys on a telephone keypad (fig. 7-9, fig. 11, items 510, 520; col.8, lines 10-21, col.9, lines 33-52).

Klausner further teaches a storage device (fig.2, item 6).

Klausner further teaches a microprocessor [i.e., processor] that stores combined messages, which include the received audio messages and the text representation of the DTMF tones (fig. 7-9, fig. 11, items 510, 520; col.8, lines 10-21, col.9, lines 33-52).

Regarding claims 4, 10 and 16, Klausner teaches a key set 34d [i.e., user interface], coupled to the processor for providing commands to the processor (fig.1, fig.11, item 540; col.3, lines 53-56, col.9, line 64-col.10, line 2).

Klausner further teaches a DAA 10 [i.e., interface] to a public telephone line [i.e., public switched telephone network (PSTN)] (fig.2; col.4, lines 61-67).

Klausner further teaches that the processor is responsive to a command provided via the key set to retrieve the DTMF tones from the memory [i.e., storage device] to initiate a telephone call (fig.1, fig.11, items 570, 580; col.3, lines 53-56, col.9, line 64-col.10, line 2).

Regarding claim 6, Klausner teaches a telephone answering device [i.e., telecommunications unit] including a display output port (fig.2, item 4) and a voice playback [i.e., audio output] port fig.2, item 6), whereby the stored audio message are provided to the voice playback [i.e., audio output] port and the respective stored data [i.e., text] is provided to the display output port for displaying [i.e., concurrent presentation] to a caller (fig.11, items 570, 580; col.4, lines 57-59, col.9, lines 33-68, col.10, lines 1, 2).

Regarding claim 7 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Klausner teaches display [i.e., video processing circuitry] (fig.2, item 4).

Klausner further teaches voice playback [i.e., audio processing circuitry] (fig.2, item 6).

Klausner further teaches replaying the stored messages using the audio processing circuitry and displaying the data [i.e., text] using the display (fig.11, item 530; col.4, lines 5-10, 30-38, col.9, lines 53-63).

Regarding claim 12 is rejected for the same reasons as discussed above with respect to claim 6.

Regarding claim 18, Klausner teaches providing the audio message as an audio output signal (fig.11, item 540; col.9, lines 53-68).

Klausner further teaches displaying stored text corresponding to audio message as the respective audio message is provided (fig.11, items 530, 540, 560; col.9, lines 33-68, col.10, lines 1, 2).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2, 3, 5, 8, 9, 11, 14, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klausner et al. (US Patent No. 5,283,818) in view of McNutt et al. (U.S. Patent No. 4,805,207).

Regarding claims 2, 8 and 14 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, it is not clear whether Klausner teaches “text-to-speech conversion means which converts the text to speech signals”. McNutt teaches software routines converting the text to speech parameter (col.4, lines 44-67, col.5, lines 1-13; ‘software routines’ reads on the claim ‘text-to-speech conversion means’ and ‘speech parameter’ reads on the claim ‘speech signals’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Klausner to allow text-to-speech conversion means as taught by McNutt. The motivation for the modification is to have the text-to-speech conversion means in order to provide the speech signal.

Regarding claims 3, 9 and 15, Klausner further teaches a processor that stores the message corresponding the digital data into a memory [i.e., the speech signals in place of the DTMF tones in the respective audio messages] (fig. 7-9, fig. 11, items 510, 520; col.8, lines 10-21, col.9, lines 33-52).

Regarding claims 5 and 11 are rejected for the same reasons as discussed above with respect to claim 4. Furthermore, it is not clear whether Klausner teaches “a DTMF tone generator configured to translate text numbers into DTMF tones”. McNutt teaches a DTMF generator circuit to convert text into DTMF signals (abstract; col.4, lines 44-68, col.5, lines 1-30; ‘DTMF generator circuit’ reads on the claim ‘DTMF tone generator configured’, ‘convert’ reads on the claim ‘translate’ and ‘text into DTMF signals’ reads on the claim ‘text numbers into DTMF tones’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Klausner to allow the DTMF tone generator to translate text numbers into DTMF tones as taught by McNutt. The motivation for the modification is to have the DTMF tone generator in order to provide the telephone number to the callee.

Klausner further teaches that the microprocessor [i.e., processor] is responsive to a command provided via the keyset [i.e., user interface] to retrieve the text corresponding to the DTMF tones from the memory (i.e., storage device) and to provide the retrieved text to the DTMF tone generator (fig.1, fig.11, items 570, 580; col.3, lines 53-56, col.9, lines 53-68, col.10, lines 1, 2).

Regarding claim 17, it is not clear whether Klausner teach “converting the stored text corresponding to one of the received audio messages to DTMF tones”. McNutt teaches converting text into DTMF signals (abstract; col.4, lines 44-68, col.5, lines 1-30; ‘text into

Art Unit: 2645

DTMF signals' reads on the claim 'the stored text corresponding to one of the received audio messages to DTMF tones'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Klausner to allow the DTMF tone generator to convert text to DTMF tones as taught by McNutt. The motivation for the modification is to have the conversion in order to provide the telephone number to the callee.

Klausner further teaches initiating a telephone call by providing the converted DTMF tones to a telecommunications network (fig.11, items 570, 580; col.9, line 64- col.10, line 2).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hu (U.S. Patent 6,738,465) teach Call-back number voice capture method and apparatus, Lee et al. (U.S. Patent 5,710,806) teach Telecommunications device for the hearing impaired with telephone, text communication and answering, and automated voice carryover, Ide et al. (U.S. Patent 5,715,517) teach Selective calling receiver with display function and fixed and arbitrary standardized expressions, Guercio et al. (U.S. Patent 6,373,925) teach Telephone calling party announcement system and method and Lee et al. (U.S. Patent 5,604,791) teach Single-line telephone answering system with access security features.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

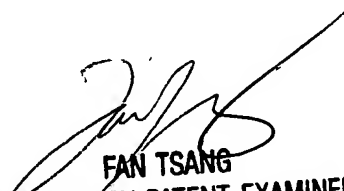
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2645

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.E.

MD SHAFIUL ALAM ELAHEE
April 8, 2005


FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600